

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**  
1174

JUN 11 2003

Judge Robert W. Gettleman  
United States District Court

FEDERAL TRADE COMMISSION )

Plaintiff, )

v. )

No. 03C3904

KEVIN TRUDEAU, SHOP AMERICA )  
(USA), LLC, ROBERT BAREFOOT, and )  
DEONNA ENTERPRISES, INC., )  
Defendants. )

Honorable Robert W. Gettleman

**DOCKETED**

JUN 16 2003

**NOTICE OF FILING**

TO: Daniel Kaufman  
Laura M. Sullivan  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
NJ-3212  
Washington, DC 20580

Todd Kossow  
Karen D. Dodge  
Federal Trade Commission  
55 E. Monroe Street, Suite 1860  
Chicago, IL 60603

PLEASE BE ADVISED that on the 11th day of June, 2003, we filed with the  
Chambers of the Honorable Robert W. Gettleman and with the Clerk of the United States District

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Court for the Northern District of Illinois **Memorandum in Response to Motion for Temporary Restraining Order**, a copy of which is attached hereto and is hereby served upon you.

KEVIN TRUDEAU  
SHOP AMERICA (USA), LLC

By: 

One of their attorneys

David J. Bradford  
David Jimenez-Ekman  
Katharine R. Saunders  
JENNER & BLOCK LLC  
One IBM Plaza  
Chicago, Illinois 60611  
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June 11, 2003

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**DEFENDANTS KEVIN TRUDEAU AND SHOP AMERICA (USA), LLC'S  
MEMORANDUM IN RESPONSE TO  
MOTION FOR TEMPORARY RESTRAINING ORDER**

Defendants Kevin Trudeau and Shop America (USA), LLC, by their attorneys, hereby adopt as their Response to Plaintiff Federal Trade Commission's Motion for Temporary Restraining Order with Asset Freeze, Accounting, and Related Relief, and Order to Show Cause Why a Preliminary Injunction Should Not Issue as to Defendants, the Response filed in Case No. 98C0168 to the Federal Trade Commission's similar Motion for Temporary Restraining Order with Asset Freeze, Accounting, and Related Relief, and Order to Show Cause Why Defendant Should Not Be Held in Civil Contempt, and in support and state as follows:

1. In their motion in this case, the FTC claims an emergency proceeding is necessary to contend with its allegations that Trudeau, Shop America, Robert Barefoot, and Deonna Enterprises have engaged in false advertising and deceptive business practices.

2. In a related case, Case No. 98C0168, the FTC has filed similar claims against Kevin Trudeau, in a Motion for Temporary Restraining Order with Asset Freeze, Accounting, and

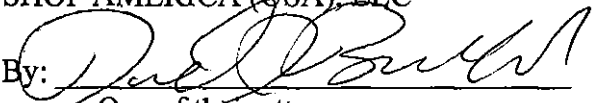
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Related Relief, and Order to Show Cause Why Defendant Should Not Be Held in Civil Contempt. In that Motion, the FTC describes similar circumstances, facts, and legal issues relating to the same alleged dissemination of improper statements by Defendants.

3. Due to the emergency nature of this proceeding and the extremely limited time afforded to Defendants for their response prior to the hearing set on the motions for temporary restraining orders and the related nature of the issues, Defendants Trudeau and Shop America adopt Trudeau's Response in Case No. 98C0168.

Respectfully submitted

KEVIN TRUDEAU  
SHOP AMERICA (USA), LLC

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One of their attorneys

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